

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

BRENDA S. NAVOLIO	)	
<i>Individually and as the Administratrix of</i>	)	
<i>the Estate of MATTHEW A. HAMILTON,</i>	)	Civil Action No. 08-1286
<i>Deceased ,</i>	)	
	)	
Plaintiff,	)	Judge Terrence F. McVerry
	)	Magistrate Judge Lisa Pupo Lenihan
	)	
v.	)	Doc. No. 28 and 32
	)	
LAWRENCE COUNTY and	)	
PRIMECARE MEDICAL, INC.,	)	
	)	
Defendants.	)	
	)	

**MEMORANDUM ORDER**

Plaintiff's complaint was received by the Clerk of Court on September 15, 2008 and was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

The Magistrate Judge's Report and Recommendation (Doc. No. 51), filed on January 5, 2010, recommended that the Motion for Summary Judgment filed by Primecare Medical, Inc. (Doc. No. 28) be granted, and that the Motion for Summary Judgment filed by Lawrence County (Doc. No. 32) be granted. Service was made on all counsel of record. The parties were informed that in accordance with the Magistrate Judges Act, 28 U.S.C.

§ 636(b)(1)(B) and (C), and Rule 72.1.4(B) of the Local Rules for Magistrate Judges, that they had fourteen (14) days to file any objections. Objections were filed by Plaintiff on January 22, 2010. No response has been filed. The Court finds Plaintiff's objections to be without merit.

After review of the pleadings, briefs, and other documents in the case, together with the Report and Recommendation and the Objections filed by Plaintiff, the following order is entered:

**AND NOW**, this 9th day of February, 2010

**IT IS HEREBY ORDERED** that Defendants' Motions for Summary Judgment (Doc. Nos. 28 and 32) are **GRANTED**.

**IT IS FURTHER ORDERED** that the Court declines to exercise supplemental jurisdiction over Plaintiff's state law claims.

**IT IS FURTHER ORDERED** that the Report and Recommendation (Doc. No. 51) of Magistrate Judge Lenihan, dated January 5, 2010, is adopted as the opinion of the Court.

**IT IS FURTHER ORDERED** that the Clerk shall mark this case as closed.

s/ Terrence F. McVerry  
United States District Judge

cc: Counsel of record  
U.S. Magistrate Judge

All Counsel of Record  
*Via Electronic Mail*